

UNITED STATES BANKRUPTCY COURT DISTRICT OF PENNSYLVANIA	
RAS Citron, LLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys for Secured Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper Kevin Butterly, Esq. (NJ-3800)	CASE NO.: 18-16251-mdc CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Victor M. Sosa, Debtor.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

Nationstar Mortgage LLC D/B/A Mr. Cooper ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 2), and states as follows:

1. Debtor, Victor M. Sosa ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 20, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 6 N Adams Ave, Margate City, NJ 08402-1092, by virtue of a Mortgage recorded on July 30, 2013 at Instrument No. 2013047561 of the Public Records of Atlantic County, NJ. Said Mortgage secures a Note in the amount of \$116,680.00.
3. The Debtor filed a Chapter 13 Plan on September 20, 2018.
4. The Plan provides unclear treatment of Secured Creditor's claim. The Plan proposes to maintain mortgage payments and cure the default on Debtor's pre-petition arrears. However, the Plan also evidences an intent to sale the property. Secured Creditor objection to the Plan and seeks clarification of treatment.
5. The Plan fails to mention the total amount of arrears owed. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$918.95.

Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$918.95 as the pre-petition arrearage over the life of the plan.

6. Thus far, any potential sale of the real property has not been offered or approved. In the event that the real property is sold, the proceeds of the sale should be utilized to satisfy Secured Creditor's claim. Secured Creditor objects to any plan that fails to provide the aforementioned stipulation.
7. The Plan does not appear feasible due to inadequate treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC
Attorney for Secured Creditor
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Fairfield, NJ 07004
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By: /s/Kevin Butterly
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NJ Bar Number NJ-3800
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CERTIFICATION OF SERVICE

1. I, Kevin Butterly, represent Nationstar Mortgage LLC D/B/A Mr. Cooper in this matter.
2. On 11/9/2018, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

11/9/2018

RAS Citron, LLC
Attorney for Secured Creditor
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Fairfield, NJ 07004
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NJ Bar Number NJ-3800
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<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Brad J. Sadek Sadek and Cooper 1315 Walnut Street Suite 502 Philadelphia, PA 19107	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
Victor M. Sosa 2121 Brandywine Street Philadelphia, PA 19130	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
William C. Miller, Esq. Chapter 13 Trustee P.O. Box 1229 Philadelphia, PA 19105	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
United States Trustee Office of the U.S. Trustee 833 Chestnut Street Suite 500 Philadelphia, PA 19107	U. S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)